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APPL NO.	FILING OR 371 (C) 371	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/731,737	12/09/2003	3738	0.00	VASC 1002-12	16	8	1

CONFIRMATION NO. 5145

22470  
 HAYNES BEFFEL & WOLFELD LLP  
 P O BOX 366  
 HALF MOON BAY, CA 94019

## FILING RECEIPT



\*OC000000012108394\*

Date Mailed: 03/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Katherine J. Klumb, Los Altos, CA;  
 Thomas J. Fogarty, Portola Valley, CA;  
 Kirti P. Kamdar, Sunnyvale, CA;  
 Bradley B. Hill, Portola Valley, CA;

## Assignment For Published Patent Application

VASCULAR ARCHITECTS, INC., A Delaware corporation, San Jose, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/834,145 04/12/2001 PAT 6,660,032  
 which is a CON of 09/400,955 09/22/1999 PAT 6,645,237  
 which is a CIP of 09/258,542 02/26/1999 PAT 6,248,122

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## Foreign Applications

If Required, Foreign Filing License Granted: 03/15/2004

MAR 22 2004

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Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

Expandable coil endoluminal prosthesis

**Preliminary Class**

623

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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## HAYNES BEFFEL & WOLFELD LLP

INTELLECTUAL PROPERTY LAW

P.O. Box 366, 751 Kelly Street

Half Moon Bay, CA 94019

Phone 650-712-0340 Fax 650-712-0263

www.HMBay.com

MARK HAYNES  
ERNIE BEFFEL  
WARREN WOLFELD

*Of Counsel:*  
JIM HANN  
\*BILL KENNEDY  
KENTA SUZUE

\*admitted in MA only

21 April 2004

Allan W. May  
Chairman of the Board  
Vascular Architects, Inc.  
1830 Bering Drive  
San Jose, CA 95112

Re: U.S. Continuation Patent Application entitled  
**EXPANDABLE COIL ENDOLUMINAL PROSTHESIS**  
Application No.: 10/731,737; Filed: 9 December 2003  
Inventors: Katherine J. Klumb, Thomas J. Fogarty, Kirti P. Kamdar, and Bradley B. Hill  
Our Reference No.: VASC 1002-12

Dear Allan:

Enclosed is a copy of the official Filing Receipt received for the above-identified U.S. patent application. The application has been assigned **Application No. 10/731,737** and Confirmation No. **5145**, and was granted a filing date of **9 December 2003**. Also enclosed are copies of the Notice to File Missing Parts and the response that was filed with the USPTO on 31 March 2004.

### PUBLICATION OF APPLICATION

The application will be published as a pending application on a date to be determined pending completion of missing parts.

### NOTICE RE DUTY OF DISCLOSURE

Please note that all individuals, including inventors and attorneys, associated with the prosecution of this application have an ongoing duty to disclose to the U.S. Patent and Trademark Office all information of which they are aware which is material to the examination of the application. Information is considered material if it is not cumulative and (a) it raises a prima facie case of unpatentability of a claim or (b) it refutes or is inconsistent with any position taken by the applicant.

Material information includes information concerning the "prior art" related to the claimed invention. The "prior art" includes patents, patent applications, publications (such as books, theses, articles, advertisements and other printed materials available to some segment of the public), and products or processes similar to or related to the invention (whether yours or a competitor's).

Material information also includes the names of all inventors (and the fact of any inventorship disputes) and the earliest date of any commercial activity relating to the invention (or an earlier version

of it), such as sales, offers for sale, advertising and other sales solicitation, and public use (including secret commercial use).

In compliance with our duty of disclosure, we filed the enclosed Disclosure Statement with the Patent office on April 21, 2004, listing what we believe to be material information relating to your application. IF YOU ARE AWARE OF ANY OTHER MATERIAL INFORMATION, PLEASE LET ME KNOW. Note that any additional Information Disclosure Statements should be filed with the Patent Office within three months of the above-referenced filing date to ensure we avoid additional fees.

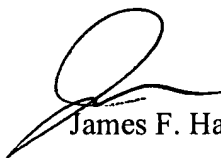
Failure to comply with our duty of disclosure can, at a minimum, make any patent we get on the invention unenforceable. Therefore, if you are not sure whether certain information is material, please let us decide if it should be disclosed. Naturally, if we are unaware of material information, we cannot discharge your duty to disclose that information to the U.S. Patent Office.

Please note that this duty to disclose material information continues throughout the pendency of your patent application. Therefore, if you subsequently learn of any material information, please contact us.

When I receive an office action from the patent office, I usually like to proceed as follows. Unless you have advised me otherwise, I assume you're still interested in obtaining a patent on the invention. I first review the office action and determine if I have enough information to prepare an appropriate amendment. If I do, I prepare a draft amendment, typically amending some claims and making arguments about the allowability of the claims, and send it to you with a copy of the office action. In my cover letter I typically say that I will file the amendment substantially as is unless I received contrary instructions within, for example, one month of the date of the letter. That way, if the amendment looks okay, you can either contact me asking me to file it or do nothing and I will file it in due course

Please contact me if you have any questions regarding this matter.

Yours truly,



James F. Hann

JFH:pfh  
Enclosures (as noted)